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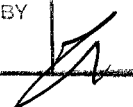
Richard S. Wolters  
Senior Attorney

2000 MAR 21 P 1:56

Room 1575, 15th Floor  
1875 Lawrence Street  
Denver, CO 80202

ARIZONA COMMUNICATIONS COMMISSION  
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March 20, 2000

Charles W. Steese  
U S WEST Inc.  
1801 California Street, Suite 5100  
Denver, CO 80202

Re: **Docket No. T00000A-97-0238. Statement of Generally Available  
Terms and Conditions (SGAT) -- Pick and Choose**

Dear Mr. Steese:

After concluding workshops on Checklist Items 3, 7, 8, 9, 10, 12 and 13 in Arizona, AT&T believes it is appropriate to express AT&T's position on the right of competitive local exchange carriers ("CLECs") to pick and choose provisions from the SGAT that U S WEST Communications Inc. ("U S WEST") has filed in Arizona and relies on to support its position that it is in compliance with Section 271 of the Telecommunications Act of 1996. Pick and choose has become even more critical since U S WEST has expressed an intent to unilaterally amend and rely upon its SGAT, and not the negotiated and approved interconnection agreements, to demonstrate that it is in compliance with the recent and, in some cases, existing orders issued by the Federal Communications Commission on interconnection, network elements, collocation and line sharing.

In light of U S WEST's extensive, if not exclusive reliance upon its SGAT, there must be a process that allows CLECs freely to pick and choose from the SGAT without undue delay. U S WEST cannot claim it has a concrete legal obligation to provide interconnection, wholesale services and network elements under the SGAT for purposes of Section 271 and, at the same time, deny a CLEC immediate and unimpeded access to the very services it claims it provides.

If U S WEST is to rely upon its SGAT to establish compliance with Section 271, CLECs must be able to freely amend their existing interconnection agreements to incorporate any provision from the SGAT. Such incorporation must be effective upon notice to U S WEST by the CLEC indicating the provision the CLEC chooses to

incorporate into its interconnection agreement. The burden would be on U S WEST to challenge the ability of the CLEC to incorporate a provision of the SGAT. CLECs must be able to rely on the incorporated provision during the pendency of any challenge. Finally, incorporated provisions must be made available subject to the terms and conditions of the existing interconnection agreement.

AT&T believes this is a workable process and is consistent with the Act and the Federal Communications Commission's rule that allows CLECs to freely pick and choose provisions from other agreements. It is also consistent with U S WEST's duty to have a concrete, legal obligation to provide the checklist items. Any method that delays the rights of the CLECs to freely pick and choose from the SGAT would deny the CLECs a meaningful opportunity to compete.

Sincerely,

AT&T COMMUNICATIONS OF  
THE MOUNTAIN STATES, INC.

A handwritten signature in cursive script, appearing to read "Richard S. Wolters".

Richard S. Wolters

cc: Service List

## CERTIFICATE OF SERVICE

I hereby certify that the original and 10 copies of AT&T and TCG Phoenix' Letter regarding SGAT Pick and Choose in Docket No. T-00000A-97-0238, were sent via overnight delivery this 20<sup>th</sup> day of March, 2000, to:

Arizona Corporation Commission  
Docket Control – Utilities Division  
1200 West Washington Street  
Phoenix, AZ 85007

and that a copy of the foregoing was sent via overnight delivery this 20<sup>th</sup> day of March, 2000 to the following:

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and that a copy of the foregoing was sent via United States Mail, postage prepaid, this 20<sup>th</sup> day of March, 2000 to the following:

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